

Application No.: 10/621,755  
Amendment Under 37 C.F.R. § 1.116 dated June 25, 2007  
Final Office Action dated: April 27, 2007

**REMARKS/ARGUMENTS**

In the Office Action, the Examiner has withdrawn the rejections under 35 U.S.C. §§ 101 and 112, but has maintained the rejections of claims 1-10, 15-24, 29-38, 43-52, 57-66, and 71-80 based, in whole or in part, on the Cox patent, taken with other prior art. Applicant strenuously disagrees with the Examiner's contention that Cox is relevant prior art that renders the rejected claims unpatentable, alone or in combination with any of the references on which the Examiner relies, under any applicable case law, including the recent Supreme Court decision in *KSR v. Teleflex*.

Applicant intends to continue to prosecute the rejected claims, but does not wish to hold up issuance of allowed claims. Therefore, purely to expedite this issuance, Applicant is retaining the allowed claims in this application. Applicant expressly reserves the right to file a continuing application to pursue the rejected claims.

Accordingly, in this response, Applicant has cancelled claims 1-10, 15-24, 29-38, 43-52, 57-66, and 71-80, and has rewritten claims 11, 25, 39, 53, 67, and 81 in independent form.  
Request for Allowance

It is believed that this Amendment places the application in condition for allowance, and early favorable consideration of this Amendment is earnestly solicited.

The Office is hereby authorized to charge any fees, or credit any overpayments, to Deposit Account No. **11-0600**.

Respectfully submitted,

KENYON & KENYON LLP

By: /Frank L. Bernstein/  
Frank L. Bernstein  
Registration No. 31,484

Date: June 25, 2007  
Customer No. 44990

KENYON & KENYON LLP  
333 West San Carlos Street, Suite 600  
San Jose, CA 95110

Telephone: (408) 975-7988  
Facsimile: (408) 975-7501